

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

Lee S.,

Civ. No. 20-cv-1583 (JRT/BRT)

Petitioner,

v.

**ORDER**

Immigration and Customs Enforcement,

Respondent.

---

**IT IS HEREBY ORDERED** that:

1. Respondent is directed to file an answer to the petition for a writ of habeas corpus (Doc. No. 1) of Petitioner Lee S. within 30 days of this order certifying the true cause and proper duration of Lee S.'s confinement and showing cause why the writ should not be granted in this case.

2. Respondent's answer should include:

- a. Such affidavits and exhibits as are needed to establish the lawfulness and correct duration of Lee S.'s incarceration, in light of the issues raised in the petition;
- b. A reasoned memorandum of law and fact fully stating respondent's legal position on Lee S.'s claims; and
- c. Respondent's recommendation on whether an evidentiary hearing should be conducted in this matter.

3. If Lee S. intends to file a reply to respondent's answer, he must do so within 30 days of the date when the answer is filed. Thereafter, no further submissions from either party will be permitted, except as authorized by Court order.

4. Lee S.'s application to proceed *in forma pauperis* (Doc. No. 2) is **GRANTED**.

5. Lee S.'s motion for habeas corpus relief (Doc. No. 4) is **DENIED WITHOUT PREJUDICE**. The motion seeks the same relief, and on the same grounds, as the petition that commenced this action (Doc. No. 1) and is therefore both duplicative and unnecessary. The denial of this motion does not affect the habeas petition itself, which remains pending.

Dated: July 21, 2020

s/ Becky R. Thorson  
BECKY R. THORSON  
United States Magistrate Judge